IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 31369 of 2004(H)

PETITIONERS:
----

1. **ANJANEYA SILK HANDLOOM WEAVERS CO-OPERATIVE SOCIETY LTD.NO.T.529, PAYATTUVILA P.O THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.**

2. **SREE MOOKAMBIKA HANDLOOM WEAVERS CO-OPERATIVE SOCIETY LTD.NO.T572, PAYATTUVILA P.O. THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.**

3. **DHANALAKSHMI VANITHA HANDLOOM WEAVERS CO-OPERATIVE SOCIETY LTD.NO.T.539,PAYATUVILA P.O., THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.**

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENTS:
----

1. **STATE OF KERALA, REP. BY SECRETARY TO GOVERNMENT, INDUSTRIES DEPT. THIRUVANANTHAPURAM.**

2. **DIRECTOR OF HANDLOOMS AND TEXTILES, THIRUVANANTHAPURAM.**

3. **GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADERSRI.MANOJKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

W.P.(C) No.31369 of 2004

Dated 28th February, 2007.

J U D G M E N T

Petitioners are essentially aggrieved since they are denied the claims for rebate. According to the petitioners, the Director has no power to issue Ext.P2 circular. It is also contended that in any case, Ext.P2 can only be prospective in operation. Since the matter has been considered only by the Director, the petitioners have en effective remedy before the Government under Section 83 of the Kerala Cooperative Societies Act. In the event of the petitioners approaching the Government within two months from today, the matter will be duly considered and appropriate orders in accordance with law with notice to the petitioners will be passed within another four months. It will be open to the petitioners to take all available contentions before the first respondent.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 28th February, 2007.